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FM AMEMBASSY MANAGUA
TO RUEHC/SECSTATE WASHDC PRIORITY 3198
INFO RUEHBO/AMEMBASSY BOGOTA PRIORITY 1996
RUEKJCS/SECDEF WASHDC PRIORITY
RHEHNSC/NSC WASHINGTON DC PRIORITY
RUMIAAA/CDR USSOUTHCOM MIAMI FL PRIORITY
RUEAIIA/CIA WASHDC PRIORITY
RHEFDIA/DIA WASHINGTON DC PRIORITY

UNCLAS MANAGUA 001196

SENSITIVE
SIPDIS

DEPT FOR WHA/CEN KRAAIMORE
DEPT FOR PM/SNA - DETEMPLE
DEPT FOR L/PM - HERALD
SOUTHCOM FOR FPA AND JAG
OSD FOR EARLE AND MITCHELL

E.O. 12958: N/A
TAGS: [MARR](#) [MOPS](#) [PREL](#) [KTIA](#) [NU](#)
SUBJECT: NICARAGUA SOFA -- NEXT STEPS TO A LONGER-TERM
AGREEMENT?

REF: A. MANAGUA 1109 AND PREVIOUS
[1](#)B. STATE 2677

[1](#)1. THIS IS AN ACTION REQUEST. PLEASE SEE PARA 6 FOR ACTION.

[1](#)2. (SBU) SUMMARY. On August 13, 2008 we exchanged diplomatic notes with the Government of Nicaragua to establish a Status of Forces Agreement. During our prior encounters with the GON, we repeatedly raised the possibility of concluding a longer-term agreement vice repeated year-to-year agreements. Our counterparts indicated a willingness to re-visit the matter after the 2008 agreement was complete. Having reached that point, we recommend engaging the GON in discussions about a formal multi-year SOFA. Informal conversations with our contacts in the Foreign Ministry and the Nicaraguan military have indicated general GON interest in pursuing a multi-year deal. Below we summarize our discussions with the GON to date and present suggested steps for an initial "exploratory phase." We assess that given the volume, desirability and quality of U.S. mil-to-mil assistance, there is a reasonable expectation that our advocates within the GON can successfully deliver a multi-year SOFA deal, perhaps even in time for the 2009 program year. END SUMMARY.

So Far, So Good
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[1](#)3. (SBU) Following a year of discussions, on August 13, 2008 the United States and Nicaragua exchanged diplomatic notes establishing conditions governing the status of U.S. forces operating in Nicaragua under the auspices of the U.S. Military Assistance Group's 2008 program of "Operational Activities" (REF A). Although the recently concluded agreement covers only the 2008 program year, at each meeting with our Government of Nicaragua (GON) counterparts, per REF B, we raised the issue of working out a longer-term SOFA arrangement. On each occasion, GON interlocutors indicated a willingness for notional discussions about a long-term agreement once the current (2008) deal was concluded. We have reached that milestone and believe we should press ahead with efforts to secure a multi-year deal beginning with the 2009 program year.

[1](#)4. (SBU) Our informal discussions about a long-term SOFA with contacts in the Foreign Ministry, the Ministry of Defense and the Nicaraguan military have all met with a favorable response at the technical level. During an August

27 meeting at MINREX, we specifically raised the issue of a multi-year SOFA. MINREX was inclined to consider the matter further, noting that a multi-year SOFA would not eliminate Nicaragua's constitutional requirement for Parliamentary notification regarding cooperation with foreign military personnel. MINREX also presented us with some questions:

-- Can the USG provide any information about how many and which countries in the Western Hemisphere already have a SOFA with the U.S.?

-- Is there a standard or preferred minimum term for a multi-year SOFA? NOTE: MINREX contacts indicated that an indefinite agreement would be difficult, but a "medium-term" (perhaps a term of five to seven years) might be achievable.

SUGGESTED NEXT STEPS

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15. (SBU) We propose the following steps as an "exploratory discussion" phase. If we receive a positive response on these actions, we would recommend pursuing a formal discussions on a multi-year SOFA agreement with Nicaragua.

-- Embassy to formally deliver a SOFA draft discussion text provided by Department to Foreign Ministry, Nicaraguan Army and Defense Ministry. (We suggest that the discussion text be English and Spanish versions of global SOFA template found on the SIPR site of the Bureau of Political-Military Affairs, as this text is very similar to the just-concluded 2008 SOFA text.)

-- Washington to offer to Nicaraguan Ambassador Arturo Cruz an information briefing about Status of Forces Agreements. NOTE: MINREX counterparts noted that Cruz could be influential on this issue.

ACTION REQUESTS

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16. (SBU) Please advise as to whether we may proceed with the suggested steps as identified in para 5 above. Also, please provide guidance as to whether and how we might respond to the questions posed by MINREX as indicated in para 4 above.
CALLAHAN